

FILED  
JAMES E. HENRY

2004 DEC 16 PM 2:01

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**IN RE: ADR PROGRAM**

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

**GENERAL ORDER REGARDING MEDIATION PROGRAM**

Pursuant to 28 U.S.C. § 651 et seq. and S.D. Ohio Civ. R. 16.3(e)(1), the United States District Judges for the Southern District of Ohio, Western Division at Dayton, hereby adopts the following general provisions regarding mediation conferences in civil cases on an on-going, year round basis.

**ADR COORDINATOR**

Magistrate Judge Sharon L. Ovington will act as the ADR Coordinator. The ADR Coordinator shall recruit, screen and assure the adequate training of appropriately experienced attorneys willing to serve as volunteer mediators. The mediators shall represent a cross-section of attorneys who regularly litigate in this Court. The ADR Coordinator shall also oversee the process for requests for mediation and for managing and scheduling cases assigned to mediation.

**ASSIGNMENT TO MEDIATION**

Any civil action, not exempted by S.D. Ohio Civ. R. 16.3(b), pending before any judge of this Court may be selected, at anytime, for mediation in the discretion of the district judge or magistrate judge to whom this action is assigned, or by request of the parties and with the judge's consent. At any time during the litigation, the Court may assign any civil case to mediation. The Court shall presume that such an assignment is appropriate if all parties request mediation in a joint motion filed with the Court.

### **IMPACT ON SCHEDULING OR PENDING MOTIONS**

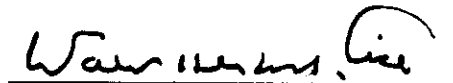
A case may be assigned to mediation at any stage of the litigation. Such assignment shall not impact existing deadlines or scheduling orders, or delay the disposition of pending motions, except upon leave of Court and for good cause shown.

### **CONTINUANCE OR CANCELLATION OF MEDIATION**

A mediation may be continued only upon order of the Court. The ADR Coordinator may, in her discretion, require such party to compensate the mediator or any other party for any expenses or costs incurred by the continuance.

December 16, 2004

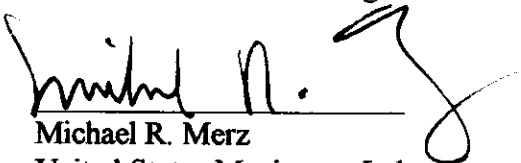
IT IS SO ORDERED.



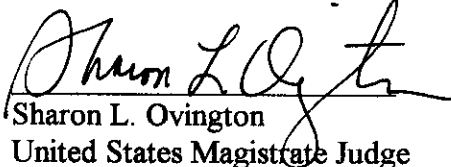
Walter Herbert Rice  
United States District Judge



Thomas M. Rose  
United States District Judge



Michael R. Merz  
United States Magistrate Judge



Sharon L. Ovington  
United States Magistrate Judge